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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,654	02/14/2002	Abraham Michael Fowler		6059

29022 7590 07/23/2004
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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT PAPER NUMBER

2175

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

10/074,654

Applicant(s)

FOWLER, ABRAHAM MICHAEL

Examiner

Neveen Abel-Jalil

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


DOV POPOVICH

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 8-10 are objected to because of the following informalities:

In claim 8, lines 4-7, the recitation “(the inner workings of which are not claimed here)” should be deleted. In claim 9, lines 4-5, 7-8, 10-11, 13, and 14-15, the recitation “(the inner workings of which are not claimed here)” should be deleted. In claim 10, lines 8-9, the recitation “(the inner workings of which are not claimed here)” should be deleted. It is unclear to the examiner the relevance of the recitation to the claimed invention. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

For Example, claim 1, line 11, the recitation “and/or” fails to point out what is included or excluded by the claim language. It is unclear to the Examiner, whether the listed limitations must be all present in order for the invention to be operable. Correction is required.

For example, claim 2, line 2, the recitation “and/or” fails to point out what is included or excluded by the claim language. It is unclear to the Examiner, whether the listed limitations must be all present in order for the invention to be operable. Correction is required.

Claims 3-10 are dependent from rejected independent claim 1 and therefore contain the same deficiencies as stated above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sako et al. (U.S. Pub. No. 2002/0194156 A1) in view of Anwar (U.S. Pub. No. 2001/0047355 A1).

As to claim 1, Sako et al. discloses a method of sifting the results of a search query using keywords from said search results, said method comprising the steps of:

(a) extracting keywords from each search query result (See page 5, paragraphs 0113-0114);

(b) compiling said keywords from said search results into a single list of keywords (See Sako et al. page 5, paragraphs 0107-0110, wherein “compiling” reads on “storing in a list” shows that the database combines all extracted keywords into a list);

(c) presenting said list of keywords and said search results to the user (See Sako et al. page 5, paragraphs 0107-0110);

(d) providing a method for the user to select keywords from said list and apply sifting operations to those keywords (See Sako et al. page 5, paragraphs 0107-0110);.

Sako et al. does not teach e) creating a derived list of search results from the initial list by applying said user-selected sifting operations on said user-selected keywords to each result in the list of initial search results, with the end result being the exclusion of certain results from said derived list, based on said keywords, said sifting operations, and/or said search results themselves.

Anwar teaches (e) creating a derived list of search results from the initial list by applying said user-selected sifting operations on said user-selected keywords to each result in the list of initial search results, with the end result being the exclusion of certain results from said derived list, based on said keywords, said sifting operations, and/or said search results themselves (See Anwar page 7, paragraph 0073, also see Anwar page 8, paragraph 0084, and see Anwar page 2, paragraph 0014).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Sako et al. to include e) creating a derived list of search results from the initial list by applying said user-selected sifting operations on said user-selected keywords to each result in the list of initial search results, with the end result being the exclusion of certain results from said derived list, based on said keywords, said sifting operations, and/or said search results themselves.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Sako et al. as modified by the teaching of Anwar to include e) creating a derived list of search results from the initial list by applying said user-selected sifting

operations on said user-selected keywords to each result in the list of initial search results, with the end result being the exclusion of certain results from said derived list, based on said keywords, said sifting operations, and/or said search results themselves because it provides for faster processing and user customization leading to accurate results.

As to claim 2, Sako et al. as modified discloses step (e), wherein in addition to excluding certain search results from the derived list, the method also optionally ranks and/or reorders the remaining results within the derived list, based on the keywords, the sifting operations, and/or the search results themselves (See Anwar page 7, paragraph 0073, also see Anwar page 8, paragraph 0084, and see Anwar page 2, paragraph 0014).

As to claim 3, Sako et al. as modified discloses steps (d) and (e), wherein the sifting operations include but are not limited to the following:

(a) "including" results from the initial list that are associated with a given keyword (See Sako et al. page 7, paragraph 0073);

(b) "requiring" that all results in the derived list be associated with a given keyword (See Sako et al. page 7, paragraph 0074, also see Sako et al. page 8, paragraphs 0084-0085, also see Sako et al. page 9, column 1, lines 1-30);

(c) "excluding" results from the initial list that are associated with a given keyword (See Sako et al. page 7, paragraph 0074, also see Sako et al. page 8, paragraph 0083); or

(d) any other operation which may include or exclude a result in the derived list based on a given keyword and its association with that result, or which may rank the result within said

derived list (See Sako et al. page 7, paragraph 0074).

As to claim 4, Sako et al. as modified discloses further comprising the step of providing the user with a method to select a particular search result and display it (See Sako et al. page 3, paragraph 0079).

As to claim 5, Sako et al. as modified discloses comprising the step of combining the user-selected keywords and sifting operations with the original search query to formulate a new, more targeted search query (See Anwar page 7, paragraph 0073, also see Anwar page 8, paragraph 0084, and see Anwar page 2, paragraph 0014).

As to claim 6, Sako et al. as modified discloses comprising the steps of:

- (a) inputting a search query from the user (See Sako et al. page 2, paragraph 0014);
- (b) submitting said search query to a search engine, whether internal or external to the present invention (See Anwar page 4, paragraph 0048); and
- (c) retrieving the search results directly from said search engine (See Sako et al. page 7, paragraph 0077).

As to claim 7, Sako et al. as modified discloses further comprising the steps of:

- (a) reformulating said search query individually for one or more search engines (See Anwar page 7, paragraph 0073, also see Anwar page 8, paragraph 0084, and see Anwar page 2, paragraph 0014),

(b) submitting said reformulated search query to each of said one or more said search engines (See Anwar page 7, paragraph 0073, also see Anwar page 8, paragraph 0084, and see Anwar page 2, paragraph 0014),

(c) combining the search results from the said one or more search engines into one single list of search results (See Sako et al. page 10, paragraphs 0209-0217, also see Sako et al. page 3, paragraphs 0074-0079).

As to claim 8, Sako et al. as modified discloses step (a), wherein the extraction of keywords from a document in the list of said search results comprises one or more of the following steps:

(a) reading a list of keywords previously associated with the document (See Sako et al. page 1, paragraphs 0008-0009, also see Anwar page 7, paragraph 0073);

(b) using a separate open or proprietary algorithm (the inner workings of which are not claimed here) to extract the most likely keywords from the document (See Sako et al. page 3, paragraphs 0074-0079); or

(c) using any other suitable method or mechanism (the inner workings of which are not claimed here) that associates documents with appropriate keywords (See Sako et al. page 3, paragraphs 0074-0079, also see Sako et al. page 4, paragraph 0070).

As to claim 9, Sako et al. as modified discloses step (b), wherein the compilation process comprises one or more of the following steps:

(a) combining keywords that are different forms of the same word by means of grammatical analysis algorithms (the inner workings of which are not claimed here) (See Sako et al. page 3, paragraph 0060);

(b) combining keywords that are synonyms using a database or thesaurus, in cases where such combination is mostly unambiguous (the specific mechanism for doing which is not claimed here) (See Sako et al. page 4, paragraphs 0089-0098);

(c) grouping or clustering keywords that are similar or have similar meanings according to some algorithm or method (the inner workings of which are not claimed here) (See Sako et al. page 4, paragraphs 0084-0088, also see Sako et al. page 6, paragraphs 0133-0137);

(d) excluding keywords that are deemed to be of little use according to some algorithm or method (the inner workings of which are not claimed here) (See Anwar page 3, paragraph 0028);
or

(e) any other algorithm which may optimize the final list of keywords (the inner workings of which are not claimed here) (See Sako et al. page 3, paragraph 0060).

As to claim 10, Sako et al. as modified discloses step (b), wherein during the compilation process any of the following pieces of information are gathered:

(a) statistics on each keyword, including but not limited to the number of search results with which said keyword is associated (See Sako et al. page 4, paragraphs 0089-0098);

(b) statistics on sets of keywords, such as the number of documents in which two or more keywords appear together (See Sako et al. page 4, paragraphs 0094-0098); or

(c) any other information or statistics that can be derived from the keywords and the search results themselves by any algorithm (the inner workings of which are not claimed here) and which may be of use to the user or other algorithms within this invention (See Sako et al. page 4, paragraphs 0083-0090).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mikheev (U.S. Pub. No. 2002/0055919 A1) teaches gathering and displaying data search results.


Braden-Harder et al. (U.S. Patent No. 5,933,822) teaches information retrieval system using natural language.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
July 12, 2004


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